

Blozis  
Linda J. Blozis, Volume 1

v.  
C.A. # 05-891 (SLR)

Mellon Trust of Delaware, et al.  
July 26, 2006

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1 State of Delaware )  
2 New Castle County )

4 CERTIFICATE OF REPORTER

5 I, Kurt A. Fetzer, Registered Diplomate  
6 Reporter and Notary Public, do hereby certify that  
7 there came before me on Wednesday, July 26, 2006, the  
8 deponent herein, LINDA J. BLOZIS, who was duly sworn  
9 by me and thereafter examined by counsel for the  
10 respective parties; that the questions asked of said  
deponent and the answers given were taken down by me  
in Stenotype notes and thereafter transcribed by use  
of computer-aided transcription and computer printer  
under my direction.

11 I further certify that the foregoing is a true  
12 and correct transcript of the testimony given at said  
examination of said witness.

13 I further certify that I am not counsel,  
14 attorney, or relative of either party, or otherwise  
interested in the event of this suit.

15  
16  
17 Kurt A. Fetzer, RDR, CRR  
18 Certification No. 100-RPR  
(Expires January 31, 2008)

19 DATED:  
20  
21  
22  
23  
24

## Volume 2

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

LINDA J. BLOZIS	)	
	)	
Plaintiff,	)	
	)	Civil Action
v.	)	No. 05-891 SLR
	)	
MELLON TRUST OF DELAWARE, NATIONAL	)	
ASSOCIATION, a Pennsylvania	)	
corporation; MELLON BANK, NATIONAL	)	
ASSOCIATION (formerly Mellon Bank	)	
(DE) NATIONAL ASSOCIATION), a	)	
Pennsylvania corporation; and	)	
MELLON FINANCIAL CORPORATION, a	)	
Pennsylvania corporation,	)	
	)	
Defendants.	)	

Deposition of LINDA J. BLOZIS taken pursuant to notice at the law offices of John M. LaRosa, Two East 7th Street, Wilmington, Delaware, beginning at 10:04 a.m., on Saturday, January 13, 2007, before Eleanor J. Schwandt, Registered Merit Reporter and Notary Public.

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1 LINDA BLOZIS,  
2 the witness herein, having first been  
3 duly sworn on oath, was examined and  
4 testified as follows:

5 CONTINUED EXAMINATION

6 BY MS. WILSON:

7 Q. Good morning, Miss Blozis. The last time we were  
8 here was July 26 of last year. And we went over some  
9 preliminaries, do's and don't's with respect to  
10 depositions. Do you want me to go over them again? Such  
11 as, if you don't understand a question, to say so. If  
12 you don't hear the question, to ask me to speak up so  
13 that you hear the question.

14 A. I understand that.

15 Q. Okay.

16 A. And I will do that.

17 Q. All right. Great.

18 Miss Blozis, I want to turn your attention  
19 to one of the exhibits that was marked last time, and it  
20 is Blozis 14. They are in numerical order.

21 A. Oh, okay.

22 Q. So look at the bottom, keep going until you see  
23 14, which is the final written warning for performance.

24 A. Mm-hmm.



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1 Q. Got it?

2 A. Yes.

3 Q. All right. And it has a May 19th, '03 date. It  
4 says "Copy Received." Is that the day that you received  
5 it, down at the bottom?

6 A. I would say that with my signature and the date,  
7 yes, that's the date I received it.

8 Q. And so I am understanding that it was given to  
9 you by Gregg Landis?

10 A. Handed to me by Gregg Landis, yes.

11 Q. All right. And did you --

12 A. To my recollection, yes.

13 Q. All right. And did you and Gregg go over the  
14 contents of Blozis 14?

15 A. I can't recollect that we sat down together and  
16 specifically reviewed it or it was just handed to me.

17 Q. Okay. Did you have any conversations with  
18 Rosemary Thomas about Blozis 14?

19 A. May I just reread this?

20 Q. Oh, certainly.

21 A. And then I can answer the question.

22 Having re-read this, my recollection is I  
23 don't recall if I specifically contacted Rosemary Thomas  
24 to discuss this after being given this notice.



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1 Q. All right. Did you have any conversations with  
2 Brendan Gilmore about Blozis 14?

3 A. To my recollection, specifically after receiving  
4 this, I don't recall immediately, within that day or  
5 whatever day of the week it might have been, succeeding  
6 day, no.

7 Q. Okay. With respect to the question, Miss Blozis,  
8 don't limit yourself to that day or the preceding day.  
9 At any point did you have any discussions with Brendan  
10 Gilmore about Blozis 14?

11 A. At this time I can't recall specifically if I did  
12 or if it was via conversations with Gregg Landis over the  
13 concern of this.

14 Q. Okay. So let's go back to my previous question  
15 when I asked whether you had any conversation with Gregg  
16 Landis about Blozis 14. Again, don't limit your answer  
17 to the day or the preceding day. Did you at any point  
18 have conversations with Gregg about Blozis 14?

19 A. I would recall that this -- I would have found  
20 this very upsetting. And as to specific dates, I may  
21 have, or days, I may have said -- tried to discuss this  
22 with Gregg to some point of the substance of it, the  
23 outcome of it.

24 Q. Okay. When you say "the substance," what do you



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1 mean by that?

2 A. Well, the criticism of projects unfinished in a  
3 timely manner, the fact that they were accusing me of  
4 lack of ownership of projects without constant  
5 monitoring, work quality, better understanding, those  
6 types of things.

7 In retrospect, it would have to have been a  
8 question saying why up until that point my work was  
9 commended and now it is not. It seems to have done a  
10 180.

11 Q. And what did Gregg tell you?

12 A. Specifically, I don't recall. But my  
13 recollection is that criticism generally came down about  
14 everything that I was doing from that time on.

15 Q. And the criticism came down from whom?

16 A. Whoever his superior was or who he was answering  
17 to at that time.

18 Q. So Brendan Gilmore?

19 A. If you were to structurally look at the company,  
20 I would suspect it was Brendan Gilmore.

21 Q. So --

22 A. Or feel. Correction, I would feel that it was  
23 Brendan Gilmore.

24 Q. In terms of your answer, Miss Blozis, if I'm



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1 understanding it correctly, you felt that Brendan Gilmore  
2 was criticizing your work and then telling Gregg about  
3 his concerns, and then Gregg was then telling you?

4 A. That would seem to follow.

5 Q. Is it fair to say that when you reviewed Blozis  
6 14 that you didn't agree with the performance issues that  
7 were outlined in it?

8 A. It would be fair to say that.

9 Q. And did you voice your disagreements with Gregg?

10 A. I believe I attempted to.

11 Q. And when you say you attempted to, what do you  
12 mean?

13 A. That if I had the opportunity to sit with Gregg  
14 over a project, or the criticism, that it may have been  
15 falling on deaf ears. My explanation that, yes, this is  
16 getting done, this particular project is in the works,  
17 and yet I'm still being criticized for it.

18 Q. Okay. And did Gregg make any sort of response  
19 when you would have those conversations with him?

20 A. To my recollection, what I remember is that if he  
21 may, in fact, have thought things were accomplished, it  
22 was necessary that I do work harder and longer, that it  
23 wasn't what I was accomplishing may not -- wasn't being  
24 interpreted as satisfactory.



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1 Q. You had testified, Miss Blozis, earlier in your  
2 description of events that up until then, and I'm taking  
3 then to mean when you got the final written warning, that  
4 your work had been commended, and I wanted to ask you  
5 about what part of your work was being commended.

6 A. What part of my work was being commended up until  
7 then? My recollection is that after Kathleen Agne was  
8 dismissed, all of the responsibility for that office fell  
9 on me. Both Mr. Landis and Mr. Becker were very grateful  
10 for my conscientiousness and my dedication and my  
11 approach, my professional approach to the job, and were  
12 very pleased that I showed up every day and took on even  
13 more duties, and intimated to me that if I needed more  
14 time, whether it be for lunch, that was fine.

15 I continued to come to work every day with  
16 the same approach, professional approach, and  
17 conscientious attitude towards the responsibility of my  
18 job. And as time went on, it seemed to be that was not  
19 sufficient, that nothing that I did was becoming  
20 acceptable, that it was being criticized more and more,  
21 and it evolved to a point where they terminated me.

22 Q. When in time did you feel that your work was  
23 starting to be criticized?

24 A. To my recollection, it became apparent when an



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1 additional younger person was hired, that being Maria  
2 Dunlop, at the time Maria Bannister, before she married.

3 Q. Now, with respect to Bill Becker, when you  
4 reported to him, before you went to the Philadelphia  
5 office, had Bill Becker given you a review where there  
6 was a needs improvement?

7 A. To my recollection, the last review that Bill  
8 gave me I thought was overall meeting expectations.

9 Q. Okay. If you take a look at Blozis 13.

10 A. Do you have a question about this?

11 Q. I wanted you to look at it, refresh yourself.  
12 Have you refreshed yourself?

13 A. Up to page 2, it says "Meets Target."

14 Q. Look at page 5, section 4.

15 A. I see a check mark by "Needs Improvement."

16 Q. Okay. Does that refresh your recollection?

17 A. Of this review?

18 Q. Yes.

19 A. To some extent, yes.

20 Q. And that was the last review that Bill Becker  
21 gave to you, correct?

22 A. Yes.

23 Q. Now, upon receipt of Blozis 13, did you take that  
24 to be an initial written warning about performance?



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1 A. No, I did not.

2 Q. Why not?

3 A. Because it was not in a format that was explained  
4 at my hiring of the process of employment warnings.

5 Q. And what process was described to you at your  
6 time of hire?

7 A. That my recollection, my understanding was I  
8 think a verbal, then a written, and then a final.

9 Q. Now, when were you first hired, Miss Blozis?

10 A. In February 14th of 1990.

11 Q. And who described the process to you when you  
12 were hired?

13 A. I don't think it was the HR person at that time.  
14 It may have been the head of the Trust Department at that  
15 time, to my recollection.

16 Q. Do you remember who that was?

17 A. I first worked for Robert H. Bell. I reported to  
18 Robert H. Bell.

19 Q. Now, when you were hired in 1990 it was described  
20 that you have a verbal warning, a written, a final?

21 A. I believe it was in that, it was in that order,  
22 yes.

23 Q. Okay. And why didn't you take Blozis 13 to be a  
24 written?



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1 A. Looking back at this copy, refreshing my memory  
2 from that year, I would suspect that I would have been  
3 confused -- not confused but dumbfounded by a "Meets  
4 Targets" and by the end of the review it dissolves into a  
5 "Needs Improvement."

6 I see the check mark where it says  
7 "Integrity" is checked, and by the time we get to the end  
8 of it, it says "Needs Improvement."

9 And also the fact that on page, the  
10 succeeding page, just above signatures, I don't see the  
11 number, "Meets Targets, Highly Effective," and then it  
12 jumps to "Needs Improvement." I don't find that  
13 consistent.

14 Q. So if I understand your testimony, Miss Blozis,  
15 is that you didn't consider Blozis 13 to be a written  
16 warning because you viewed some of the information in  
17 Blozis 13 to be inconsistent?

18 MR. LAROSA: Objection.

19 A. I think you are calling for a flat-out judgment  
20 here, and I'm not prepared to --

21 Q. Okay. Let me ask you this: Why didn't you  
22 consider Blozis 13 to be a written warning?

23 A. I was not of the belief that that was the format  
24 a written warning was to be given.



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1 Q. Okay. And when you say format, what do you mean  
2 by that?

3 A. Format in the sense that an employee may have  
4 been called into a manager's office, most likely would  
5 have been informed of constructive criticism about the  
6 work, and then officially handed a paper that says, "This  
7 is a written warning."

8 Q. Okay. And when you got the final written  
9 warning, which is Blozis 14, did you ever appeal your  
10 receipt of Blozis 14?

11 A. To my recollection, I may have.

12 Q. To whom?

13 A. Of, I'm sorry, Blozis 14?

14 Q. Yes, which is the final written warning.

15 A. At that time I believe Mr. Becker was already in  
16 charge of another team, was no longer overseeing my work,  
17 so that would have excluded him.

18 Gregg Landis I felt at that time was  
19 becoming less approachable about my work. And Brendan  
20 Gilmore, in my estimation, at that point wanted me out.  
21 So I, I really didn't -- he was not accessible, that  
22 accessible to me. Gregg Landis, being my immediate  
23 supervisor, if I talked to him, if it were that I was to  
24 talk, it would be to Gregg.



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1 Q. Did you go to Human Resources?

2 A. I don't recall at this time exact contacts with  
3 Rosemary Thomas of Human Resources, and she would have  
4 been the contact person. The exact dates of our  
5 exchanges I can't recall right at this time.

6 Q. But in terms of appealing receipt of Blozis 14 or  
7 being on corrective action, did you ever go to anyone in  
8 HR to appeal it?

9 A. I did not feel that Rosemary Thomas was fully  
10 someone I could confide in regarding the situation as it  
11 was happening to me.

12 Q. And why is that?

13 A. I believe I stated a previous incident where,  
14 years back, a former supervisor, Linda Squirer and I,  
15 asked to have a private conference with her. She agreed,  
16 and in turn came down to Wilmington with supervisors and  
17 other people involved.

18 Q. That was the testimony you had given about I  
19 guess a salesperson who you felt was making improper  
20 representation to clients?

21 A. Yes.

22 Q. If I recall?

23 A. Yes.

24 Q. Okay. Did you consider going over Rosemary's



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1 head, so to speak, to her supervisor?

2 A. We in the Delaware office were instructed as to  
3 the fact that Rosemary was the person we dealt with. To  
4 go any higher would have meant to contact people in  
5 Pittsburgh that were removed from that issue or the  
6 situation.

7 Q. Did you consider contacting someone in  
8 Pittsburgh?

9 A. At this time I don't recollect that.

10 Q. Miss Blozis, during the time that you worked at  
11 Mellon did you ever express an intent to move to Naples,  
12 Florida?

13 A. In what sense? I don't understand your question  
14 fully.

15 Q. That you wanted to move to Naples, that you would  
16 like, for example, if Mellon opened up an office in  
17 Naples, to move down to Naples?

18 A. I had expressed on several occasions that I  
19 thought Mellon as a company would be wise to open an  
20 office on the southwest coast of Florida, due to the  
21 economic opportunity there, and that I would be happy to  
22 work there if the opportunity presented itself.

23 Q. And who did you talk to about that?

24 A. I, if you are asking for specific people, I would



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1 say sometimes co-workers at the time, a number of  
2 co-workers, and perhaps Mr. Becker or Mr. Landis.

3 Q. What about Mr. Gilmore?

4 A. I can't recollect if I had that type of  
5 conversation with him.

6 Q. Why did you say that you would be interested in  
7 going down to Naples?

8 A. Because it was a nice place to live and work, and  
9 warm and sunny.

10 Q. And you had a house down there, correct?

11 A. I did, yes.

12 Q. While you were employed at Mellon did you ever  
13 hear Brendan Gilmore make a comment about Maria Dunlop's  
14 boots?

15 A. Specifically, I can't recollect. But there were  
16 comments and asides that Gilmore had made about other  
17 employees at the time, that I worked at the Greenville  
18 office.

19 Q. But specifically as it relates to Maria, did you  
20 ever hear Mr. Gilmore make any comments about her boots  
21 or her attire?

22 A. Her attire, sometimes, yes.

23 Q. What did you hear?

24 A. Exact and specifically, I don't recollect at this



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1 time. But some comments that I thought might be  
2 inappropriate.

3 Q. Like what?

4 A. Perhaps -- my recollection is that perhaps, how  
5 an outfit looks or possibly fits somebody.

6 Q. When you say somebody, meaning Maria?

7 A. Maria, and I am also recalling when, a specific  
8 incident, instance when we shared space with the retail  
9 folks, before they became Citizens, there was a sales gal  
10 who was married, and who was an attractive single mother,  
11 a responsible worker, and others in that office --  
12 because at the time Maria wasn't even on board yet -- he,  
13 Gilmore would come into the office and stop by her desk  
14 and say things and comments to her that appeared to be  
15 unprofessional.

16 Q. Like what?

17 A. The exact words I don't recall. But I can tell  
18 you that Miss Cindy Wilson was an employee of Mellon at  
19 the time, myself, I'm trying to think of -- Joan Rowe,  
20 who worked for Holding Companies, he just seemed to talk  
21 in an inappropriate manner to her, his tone of voice, an  
22 obvious, I think we used the term gushing or flirting.  
23 And this young lady tried to conduct herself in a  
24 professional manner and get on with her work, and then he



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1 would move on to speak to the supervising officer, which  
2 I think was Landis or Becker at that time.

3 Q. What time frame?

4 A. Time frame meaning what? I don't understand.

5 Q. What year? If you have a specific date that  
6 would be great.

7 A. It would have been prior to the lift-out that  
8 occurred when Mellon sold the retail and business banking  
9 operations to Citizens Bank.

10 Q. 1998?

11 A. No. We had gone -- our group had moved into the  
12 Greenville office -- oh, my gosh, see if I can recollect  
13 that year -- probably around 2002 to 2003, and Citizens,  
14 or that which became Citizens retail was still operating  
15 in that office until it can move out.

16 Q. Now, the person that you described her as a  
17 single mom, who was it?

18 A. At this point I don't recollect her name, but I  
19 could, with research I probably could find that out. She  
20 sat at the next desk from me. She may still be with  
21 Citizens. She was an attractive girl, but a professional  
22 worker.

23 Q. Now, with respect to, you described what Mr.  
24 Gilmore would do I guess when he came down to the



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1 Delaware office, and she would be sitting at her desk?

2 A. Yes.

3 Q. Okay. Now, did you overhear the conversations?

4 A. Several of us overheard the conversations.

5 Q. Did Mr. Gilmore ever make any comments to you  
6 that you felt were inappropriate?

7 A. At this point I don't recollect in the same way  
8 that he did to this younger employee.

9 Q. Okay. When you say "in the same way," whether  
10 they were in the same way or some other way, you had  
11 spoken earlier about the conversation that you had in his  
12 office where you felt he yelled at you, so you told me  
13 about that time. Any other times?

14 A. I don't fully understand your comparison or the  
15 premise.

16 Q. Let me just --

17 A. Would you clarify?

18 Q. Because what I'm getting from you is that Mr.  
19 Gilmore made comments that you took to be of a sexual  
20 nature concerning this woman who may or may not have been  
21 a Citizens employee; is that right?

22 A. That's correct. And it was not just myself who  
23 understood this to be that way.

24 Q. All right. Did Mr. Gilmore ever make any



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1 comments to you that you felt were of a sexual nature?

2 A. To my recollection, no. Not of a sexual nature.

3 Q. All right. Now when you say "not of a sexual  
4 nature," that leads me to believe that there were

5 comments that he said to you that you felt were

6 inappropriate but may not have been of a sexual nature.

7 A. I understand that that is the way you would have  
8 taken that comment, yes.

9 Q. Did I take it correctly?

10 A. Yes, I would say so.

11 Q. Okay. Now, what were the comments?

12 A. In conversations, my recollection overall with  
13 Brendan Gilmore is if you tried to converse with him,  
14 perhaps about non-work things, he mostly made you feel  
15 uneasy or unapproachable or aloof, and so you wouldn't  
16 engage him in conversation.

17 Q. Can you give an example?

18 A. A specific example, no. An overall generality,  
19 feeling is that Brendan Gilmore was attracted to the  
20 younger people in the office, and the middle-aged or  
21 little older employees were, were not ignored but -- were  
22 ignored or tolerated in their work.

23 Q. When you say he was attracted to the younger  
24 people in the office, do you mean younger females?



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1 A. I think he, besides the females, he felt that  
2 if -- the younger male employees of our team, he would  
3 show preference to them over people of a certain age.

4 Q. And how would preference be shown either to the  
5 younger males or the younger females?

6 A. That he would engage them in conversations,  
7 whether work-related or non-work-related.

8 Q. And you felt that with the older employees, if  
9 they tried to engage him in work-related conversations or  
10 non-work-related conversations, he didn't have much to  
11 say?

12 A. Yes, I would say so.

13 Q. Now, earlier you said that you felt that you were  
14 starting to get criticized, and I had asked you when in  
15 time that you started having that feeling, and you said  
16 that it was when Maria Dunlop started. Do you remember  
17 that?

18 A. I remember saying that to you.

19 Q. Okay. And why do you feel that you started to  
20 get criticized more when she came?

21 A. I don't really know at this time why I would be  
22 getting criticized, because I felt my performance and my  
23 attitude towards work was constant. I was happy to train  
24 her and bring, try to bring her up to speed, in addition



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1 to all my other responsibilities.

2 Q. Do you know if any other portfolio administrators  
3 were on corrective action at any point in time that you  
4 were at Mellon?

5 A. I don't believe that is something that would have  
6 been shared with me. Protocol didn't dictate that we  
7 each know the other's reviews.

8 Q. So is it fair to say that the only review that  
9 you knew about was your own?

10 A. I don't understand the time frame. Do you mean,  
11 do you mean in reference to --

12 Q. At any point while you were at Mellon.

13 A. At any point while I was at Mellon. Kathleen  
14 Agne, in retrospect, I recall that Kathleen Agne didn't  
15 specifically share any criticism that she was getting,  
16 but I could sense there was trouble, and upon approaching  
17 her could tell -- approaching her and asking, "What is  
18 going on?" that she may have been going through a  
19 reprimand or a criticism of work after 20 some, 18 to 20  
20 some years with the company.

21 Q. Did she tell you that that was happening?

22 A. She intimated to me, and I cannot give you  
23 specific words, that they were becoming more and more  
24 displeased with her performance.



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1 Q. Did she tell you who?

2 A. It would have been the immediate supervisors at  
3 that time, and I believe, recollection says that it would  
4 have been Bill Becker and Gregg Landis, under the  
5 supervision of Brendan Gilmore.

6 Q. Did you ever review any of Kathleen's performance  
7 evaluations?

8 A. I wouldn't -- that wouldn't be -- I wouldn't have  
9 access to them. I want to clarify, I would not have  
10 access to them from the standpoint of seeing something in  
11 paper. I would have not been given that when I reported  
12 to a supervisor either.

13 Q. Okay. And did you have any discussions with Mr.  
14 Becker or Mr. Landis or Mr. Gilmore about Kathleen's  
15 performance?

16 A. My recollection is that a brief attempt to  
17 inquire from Bill Becker what was happening was dismissed  
18 as not something that he could talk about.

19 And if you ask me for a specific date, I  
20 cannot give that. It is just the recollection that I  
21 have then.

22 Q. So you had asked Gregg, "What is going on with  
23 Kathleen" --

24 A. Bill Becker.



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Linda J. Blozis

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1 Q. Oh, Bill Becker?

2 A. Bill Becker.

3 Q. "What is going on with Kathleen," or something  
4 like that, and he said, "I can't talk about it"?

5 A. Yes, to my recollection, yes.

6 Q. Anybody else?

7 A. There -- no, no.

8 (Blozis Deposition Exhibit 17 was marked for  
9 identification.)

10 Q. Miss Blozis, if you could look at what has been  
11 marked as Blozis 17, please.

12 A. All right. I've read it.

13 Q. Okay. Miss Blozis, have you seen what has been  
14 marked as Blozis 17 before?

15 A. Yes.

16 Q. And what is it?

17 A. It is titled an "Information Questionnaire" from  
18 the Office of Labor Law Enforcement.

19 Q. Do you know, is that the agency, Office of Labor  
20 Law Enforcement?

21 A. The unemployment agency or the employment -- to  
22 my recollection, I don't know what it is called now in  
23 Delaware, but I would say it is.

24 Q. You think it is unemployment?



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1 A. I think this is the office affiliated with  
2 unemployment where grievances or complaints can be filed,  
3 in recollection. It is on a different floor.

4 Q. And looking down at the bottom, it is dated May  
5 20th of 2003.

6 A. Yes.

7 Q. Is that your signature and your writing, the May  
8 20th?

9 A. Yes, it is.

10 Q. Do you take that to mean that that is the day you  
11 completed the form?

12 A. Yes, it was.

13 Q. Do you know if anyone at Mellon received a copy?

14 A. I don't know the protocol at the Labor Law  
15 Enforcement office, but I don't believe I personally  
16 recollect handing them a copy of this.

17 Q. And why is it that you filled out the  
18 questionnaire?

19 A. I would recollect at the time that I thought I  
20 had a genuine grievance against Mellon.

21 Q. And is all of the writing on Blozis 17 your  
22 writing?

23 A. At this time I would have to say yes. I don't  
24 suspect it has been altered.



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1 Q. All right.

2 A. I would hope not.

3 Q. Well, is there any reason for you to suspect that  
4 it has been altered?

5 A. This particular piece of paper, exhibit, no.

6 Q. Right. You produced it. It says P214. So this  
7 is a document that you produced to us.

8 Other than Blozis 17, this particular  
9 questionnaire, did you submit anymore documents to the  
10 Office of Labor Law Enforcement?

11 A. At this time I can't fully recollect if there  
12 were other documents that went along with this. There  
13 may have been. I'm not sure at this time.

14 (Blozis Deposition Exhibit 18 was marked for  
15 identification.)

16 Q. Blozis 17, on the second page, is redacted of the  
17 client name and identifying information. There is the  
18 unredacted version so you can look at --

19 A. You said Blozis 17. This is --

20 Q. Oh, is it 18?

21 A. It is numbered 18.

22 Q. Okay, Blozis 18. If you would take a look at  
23 that, please.

24 A. I have read Exhibit 18.



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1 Q. Okay. Have you seen what has been marked as  
2 Blozis 18 before?

3 A. I don't recollect that I have.

4 Q. Okay. While you were employed at Mellon have you  
5 heard of a stale priced assets report before?

6 A. To my recollection, yes.

7 Q. What is a stale priced assets report?

8 A. To my recollection, as this indicates, codes that  
9 may need updating or re-evaluation pertaining to various  
10 accounts, as it says, real estate, leased partnerships,  
11 insurance policies, other miscellaneous assets.

12 Q. Okay. And what is the purpose of updating that  
13 information?

14 A. To my recollection, it was most likely to bring  
15 those holdings within the accounts to a standard of that  
16 given time, evaluation of that given time.

17 Q. Were you ever asked by Gregg Landis to review and  
18 do a report concerning stale pricing?

19 A. I recollect that you have asked me this question  
20 before, and I recollect that my answer was that Landis,  
21 Mr. Landis had asked me to address this issue, and my  
22 response was that it was always a portfolio officer's  
23 responsibility to evaluate those holdings, that a person  
24 in my level, as an administrative assistant, did not have



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1 the authority to evaluate those holdings.

2 Q. Did you ever tell Mr. Landis what you just said,  
3 in essence, that it is not someone with your, I guess, in  
4 your job status to evaluate those holdings?

5 A. I recollect that I may have told him, and Mr.  
6 Becker before him.

7 Q. Okay. And do you remember what Mr. Landis said?

8 A. My recollection would be that -- I don't know if  
9 I have a recollection. I think he turned it back on me.

10 Q. And you said you had also spoken to Mr. Becker as  
11 well?

12 A. I recollect I did.

13 Q. And what did he say?

14 A. My recollection is he turned it back on me.

15 Q. And when you say turning it back on you, what do  
16 you mean by that?

17 A. In remembrance, that I was to handle this, these  
18 valuations, and to probably not bother them further with  
19 them.

20 Q. Do you know whether other portfolio  
21 administrators were handling the stale pricing?

22 A. I do not have knowledge of that at this time.

23 (Blozis Deposition Exhibit 19 was marked for  
24 identification.)



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1 A. I have read Exhibit 19.

2 Q. Have you seen what has been marked as Exhibit 19  
3 before?

4 A. I think I have.

5 Q. Again, looking down at the bottom right. It is  
6 P848. It is one of the documents that you produced to  
7 us.

8 A. Mm-hmm.

9 Q. Looking at the e-mail chain, does it refresh your  
10 recollection?

11 A. Yes, it does. But I feel there is a portion  
12 missing from this where I indicated to Mr. Landis and Mr.  
13 Becker, and possibly Paul Wasielewski, that, if I'm  
14 correct in recollecting, the stale dated reports have  
15 been ignored by previous portfolio officers from years  
16 back, and I had felt that it was being dumped on me to  
17 take responsibility for it.

18 And I felt all along and knew all along that  
19 it was a job that was handled by an officer level to  
20 determine the valuations of various assets in the  
21 accounts and not the administrative assistants or the  
22 portfolio assistants.

23 Q. And you believe you had communications in writing  
24 or orally with Gregg or Paul Wasielewski concerning that?



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1 A. My recollection is, when you say writing, I can  
2 only say e-mail or, and/or verbal. My recollection is  
3 that, yes, I had those communications.

4 Q. Is it fair to say that Gregg wanted you to do a  
5 stale pricing report, nonetheless?

6 A. From reading, re-reading this e-mail, I think it  
7 would be safe to interpret that he expected me to do it,  
8 nonetheless.

9 Q. And looking at the second e-mail exchange from  
10 the bottom, which is an e-mail from Gregg to you, with a  
11 May 21, '03 date on it, do you see where I am?

12 A. Where, are you reading --

13 Q. Second from the bottom.

14 A. Yes, I see that, yes.

15 Q. It says, "Per our discussion, please complete by  
16 6/20/03."

17 A. I see that.

18 Q. Do you see where I am?

19 A. Yes.

20 Q. Had you and he had discussions on when he wanted  
21 to see the completed project?

22 A. Specific verbal discussions I can't recollect.  
23 But this e-mail would intimate that there probably were.

24 Q. And then was there further follow-up on the



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1 status of the project?

2 A. Specifically, I can't recollect if there was  
3 follow-up to that via e-mail or discussions. My general  
4 recollection is that, what I have expressed before, that  
5 I tried to convey to them that I knew that to be a job  
6 that was the responsibility of the officers, to set  
7 valuations, and that I was talking to a blank wall.

8 Q. Now, with respect to the top e-mail from you to  
9 Gregg concerning the status of the project, it has a June  
10 26th, '03 date on it. Do you see where I am?

11 A. Yes.

12 Q. Had the project not been completed by June 26?

13 A. The e-mail says, "In short, the task is not  
14 completed."

15 Q. What was Gregg's reaction to that?

16 A. Recollecting, I don't specifically know his  
17 reaction to it. I do know that up until that point I was  
18 of the impression that a lot of the projects that were  
19 left me alone in that office were getting done, and I do  
20 remember Gregg saying we are moving along, to some  
21 extent -- I don't know the exact verbiage now -- but that  
22 we were handling things.

23 Q. Did he say specific projects that he thought were  
24 being handled?



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1 A. I can't recall specifically. I have the sense  
2 that he had a sense of accomplishment.

3 Q. But in terms of projects or work, can you give me  
4 specific projects or work where you had the sense that  
5 Gregg was feeling a sense of accomplishment?

6 A. In our working relationship?

7 Q. Yes.

8 A. I have that sense, that without help for a second  
9 portfolio assistant, that we were moving along.

10 Q. Did Gregg ever express to you that he felt that  
11 he was doing the lion's share of the work?

12 A. Not in so many words, but, in fairness, I saw the  
13 hours that he was putting in.

14 Q. And were they significant hours?

15 A. Significant in what sense?

16 Q. Well, you said you saw the hours that he was  
17 putting in. That led me to believe that you saw him  
18 working long hours.

19 A. Yes.

20 Q. Did he ever say to you that he wanted you to work  
21 harder?

22 A. In those specific terms, I don't recollect that.

23 Q. Not in specific terms, but did he say, for  
24 example, he would like for you to work longer, longer



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1 hours during the day or come in over the weekend?

2 A. I felt there were times that I had done that, on  
3 more than one occasion. Specifically him stating that to  
4 me, I don't recollect that he was dissatisfied with the  
5 time that I was putting in.

6 Q. Okay. And because you don't recall him saying  
7 that to you, is that, when you say you don't recollect?

8 A. Please be more specific.

9 Q. When you said that you don't recollect him saying  
10 that he wanted you to work longer or on the weekends and  
11 that he was satisfied with the time that you were putting  
12 in on your work, did he say that? In maybe not specific  
13 words but in general words?

14 A. That he was not satisfied with the time that I  
15 was putting in?

16 Q. Yes. Did he ever say that?

17 A. I, I don't recall specifics about him saying that  
18 he was dissatisfied, but the criticisms that were coming  
19 either via Gilmore or himself intimated that the time I  
20 was putting in apparently was not sufficient to them.

21 Q. In focusing on the criticism that you were  
22 getting from Gregg Landis, what was the criticism?

23 A. My recollection is that -- are you okay?

24 THE COURT REPORTER: Yes.



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1 My recollection is that I had to produce  
2 more work, more quickly.

3 Q. Now, with respect to Blozis 19 and your last  
4 response, which is actually the response at the top, did  
5 you have any conversations with Gregg Landis about the  
6 completion of the May 2003 stale priced report?

7 A. I don't recall specific conversations at this  
8 time, after this e-mail.

9 Q. Did you finish the stale priced report?

10 A. I don't recollect that it was completed. May  
11 have been an attempt on my part to illicit information  
12 from other officers. I can't recall now.

13 (Blozis Deposition Exhibit 20 was marked for  
14 identification.)

15 A. I have looked at this.

16 Q. Okay. Do you recognize what has been marked as  
17 Blozis 20?

18 A. Yes.

19 Q. And what is it?

20 A. It looks as if it is a things to be done list.

21 Q. All right. Is that your handwriting?

22 A. It looks to be my handwriting.

23 Q. All right. All of it, the full page?

24 A. I think it is a safe assumption that it is my



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1 handwriting.

2 Q. Now, with respect to Blozis 20, would you give  
3 that to Gregg Landis?

4 A. I don't recall that.

5 Q. Would Blozis 20 be something that you would keep  
6 for yourself?

7 A. Probably was a reminder or to do list for myself.

8 Q. Now, looking at item 4 --

9 A. Yes.

10 Q. -- on your to do list, is that the stale pricing  
11 that we have been discussing earlier?

12 A. I would assume that it is.

13 Q. Okay. And in looking towards the right hand of  
14 that, where it says "June 20th," do you see that?

15 A. Yes.

16 Q. Was that the due date?

17 A. In reflection of the previous e-mail exhibit, I  
18 would think that that is the June 20th you are referring  
19 to.

20 Q. In looking at the date on the top, May 21 of '03,  
21 is that the date that you completed your to do list in  
22 terms of putting down items 1 through 10?

23 A. It would seem so.

24 Q. Okay. So you think with Blozis 20 this was



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1 something that you kept for yourself as opposed to giving  
2 to Gregg?

3 A. I'm not sure that he might not -- I might not  
4 have shared this with him at some time or we discussed it  
5 or we even jointly created it. I don't recollect at this  
6 time.

7 (Blozis Deposition Exhibit 21 was marked for  
8 identification.)

9 A. I have read, re-read or read 21.

10 Q. Okay. Miss Blozis, have you seen what has been  
11 marked as Blozis 21 before?

12 A. I'm not sure that I have at this time.

13 Q. Let's look at the first page where it says "From:  
14 Gregg Landis, To: Linda Blozis." It is the first  
15 e-mail, down at the bottom.

16 A. Yes.

17 Q. Do you see that?

18 A. Yes.

19 Q. It has a June 4 date on it?

20 A. Yes.

21 Q. And I understand that you said that you can't say  
22 that you have seen it, actually seen the document before.

23 A. Mm-hmm.

24 Q. But if you look at it, maybe it might refresh



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1 your recollection. Do you recall getting a spreadsheet  
2 concerning various notations?

3 A. At this time I can't say I have the spreadsheet  
4 because the name of the account has been blacked out.

5 Q. I gave you a clean copy that you can look at.

6 A. I'm sorry. I seem to recall that we possibly had  
7 this particular trust account.

8 Q. So the trust account sounds familiar to you?

9 A. Somewhat.

10 Q. Did you have any conversations with Gregg about I  
11 guess the tasks that he had given you on June 4 of '03?

12 A. Right now my recollection isn't clear about a  
13 discussion on this particular trust account, but the  
14 e-mail would indicate that an exchange was made.

15 Q. Did Gregg ever express any dissatisfaction with  
16 you concerning this particular trust account about not  
17 having the task completed?

18 A. I don't recall specific verbal discussion. This  
19 e-mail would indicate that there is some sense of  
20 dissatisfaction on Gregg Landis' part.

21 But there is the mention of Bruce Holmquist,  
22 the other portfolio officer, in Washington, that I was  
23 responsible for working on, and it may indicate that  
24 there may have been responsibilities that Bruce was to



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1 complete too. I'm not sure at this time.

2 Q. All right. So sitting here today, concerning, in  
3 connection with this particular trust account, you don't  
4 have any specific recollections of the information that's  
5 contained in Blozis 21?

6 A. The only recollection that I can say for certain  
7 is that Mr. So and So's trust was not at jeopardy for  
8 anything that I did or apparently, according to Landis,  
9 did not do.

10 Q. And how do you know this?

11 A. Up until the final day of my employment I believe  
12 this gentleman was still a client of ours.

13 Q. But putting to the side as to whether the trust  
14 account was ever in any jeopardy, do you recall having  
15 any conversations with Mr. Landis about any  
16 dissatisfaction with the timeliness of the work that he  
17 had assigned to you?

18 A. I don't recall dissatisfaction on this particular  
19 trust, and I have no recollection or recall that it  
20 hadn't been completed --

21 Q. When you say --

22 A. -- prior to my, prior to my dismissal or release.

23 Q. Okay. So your release came, was it around July  
24 of '03?



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1 A. Yes.

2 Q. So you are not sure, you think it had been  
3 completed prior to July of '03?

4 A. I'm thinking it had been completed prior to the  
5 6/6 appointment that Gregg says Bruce and he have set to  
6 work more intensively on this. Whether it -- I don't  
7 recollect if it was a client meeting or anymore attention  
8 that he and Mr. Holmquist, Bruce Holmquist were to give,  
9 I don't recall.

10 (Blozis Deposition Exhibit 22 was marked for  
11 identification.)

12 Q. Tell me when you have finished reviewing.

13 A. I have.

14 Q. Okay. Have you seen what has been marked as  
15 Blozis 22 before?

16 A. The e-mail indication would be that I had  
17 received it.

18 Q. Had you had any conversations with Mr. Landis  
19 concerning this particular client, client trust account?

20 A. This specific trust account involved many  
21 discussions, I believe. If I'm correct in assuming, this  
22 gentleman was the chief legal counsel for Mellon and his  
23 personal trusts were on our team. And I can recall some  
24 issues, specifically I'm not sure about this particular



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1 one, unless it is pertaining to other situations that  
2 arose later with Mr. Gilmore and Mr., let's call him Jeb.

3 Q. Now, with respect to, I guess call it the Jeb  
4 account, did Mr. Landis ever express to you any  
5 dissatisfaction with your work on the account?

6 A. I don't recall that he did. And I have no way of  
7 knowing for sure when this note was written, on or about,  
8 before or after the date of the e-mail of this particular  
9 exhibit.

10 Q. You mean the handwritten, writing down at the  
11 bottom?

12 A. That's what I'm referring to.

13 Q. Okay. And do you recognize the handwriting at  
14 the bottom?

15 A. It is not mine.

16 Q. Do you recognize it to be Gregg Landis'?

17 A. I can't say specifically at this time that I do.

18 Q. Okay. Do you remember any discussions that you  
19 and Gregg Landis had about the Jeb account in connection  
20 with I guess Jeb asking questions about mutual fund fees?

21 A. Specifically on mutual fund fees, I can't recall.  
22 I'm trying to recall other situations that -- because  
23 there were situations with the Jeb accounts that arose.

24 Q. But in terms of you and Mr. Landis having



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1 discussions about following up to Jeb about mutual fund  
2 fees, do you have any specific recollection?

3 A. Not as far as discussions with Mr. Landis. I had  
4 a very good working rapport with Jeb, who, as I said, was  
5 chief legal counsel for Mellon Delaware and happened to  
6 have personal trust accounts with us.

7 I know Mr. Bell was concerned about  
8 treatment that he was getting, but as far as mutual  
9 funds, I feel they were resolved at the time of my  
10 dismissal, based on conversation I had with him.

11 Q. With who?

12 A. Jeb.

13 Q. Now, in terms of conversations with Mr. Landis,  
14 and I'm just looking, I'm referring to the handwritten  
15 portion down at the bottom, and I understand your  
16 testimony that you don't recall seeing this and you don't  
17 have a direct recollection of it, do you recall any  
18 dissatisfaction that Mr. Landis had with you about  
19 following up with Jeb on the mutual fund fees?

20 A. Not at this time do I have a recollection about  
21 that.

22 Q. Okay. Did you ever have any discussions with Mr.  
23 Landis about his dissatisfaction with any trading issues?

24 A. Specifically, I can't say that I recollect



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1 dissatisfaction. I know we discussed various trading  
2 situations in the accounts. That was his job, that was  
3 my job, to talk about the trades.

4 Q. Do you know whether he was ever dissatisfied with  
5 any work that you did with respect to a trade concerning  
6 Nortel, N-O-R-T-E-L, Network?

7 A. Specifically, no. Perhaps if you were to give me  
8 a trust name, it might help me recollect. But no, at  
9 this time.

10 Q. Did Mr. Landis ever complain to you that he felt  
11 that you failed to demonstrate ownership of your work?

12 A. I can't give you a specific time that I recollect  
13 he said that, but overall I felt after the employment of  
14 Maria Dunlop and the fact that I brought her up to speed  
15 in training, that the attitude towards me was worsening  
16 and becoming more critical of work that seemed to prior  
17 be totally acceptable and meets standards, at the very  
18 least.

19 Q. But with respect to specific conversations with  
20 Mr. Landis concerning any dissatisfaction with ownership  
21 with your work, do you remember having any conversations  
22 with him about that?

23 A. Using the term owner -- I beg your pardon --  
24 ownership, I don't have specific recollections.



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1 Q. Don't limit it to ownership, because it may not  
2 be the specific word, he may not have sat down and used  
3 the word ownership. But think of it in terms of, I  
4 assume you have an understanding of what ownership of a  
5 project means. Correct?

6 A. I thought I did, yes.

7 Q. What is your understanding?

8 A. To take those responsibilities that were within  
9 my job realm and do them to the best of my ability.

10 Q. Now, did you ever have any discussions, dealing  
11 with your definition of ownership, did you have any  
12 conversations with Gregg about his feeling that you  
13 weren't taking ownership?

14 A. I don't recall specific discussions other than  
15 occasional meetings that would indicate this particular  
16 project may be, the time line may be more pressing than  
17 another.

18 Q. Okay. And when you say that, a particular  
19 project might be more pressing than another, what do you  
20 mean?

21 A. I don't understand how more specific you want me  
22 to get. That perhaps there was a filing -- this is a  
23 generalization -- a filing that needed to be  
24 accomplished, a letter needed to be sent to a client, a



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1 booklet that needed to be prepared for a certain meeting  
2 date, that is what I'm referring to.

3 Q. Now, in terms of your testimony thus far, I get  
4 the sense that Mr. Landis was asking you to do certain  
5 things which you felt was not within your job category.  
6 Is that correct?

7 A. Not everything.

8 Q. Not everything that he was asking you to do was  
9 within your job category, as you saw it?

10 A. The pricing evaluation I felt was not in my job  
11 realm.

12 Q. Anything else?

13 A. Offhand, I don't recollect right now.

14 Q. Did you ever have any discussions with Mr. Landis  
15 or Mr. Gilmore that they were not pleased with your  
16 performance in preparing for, I'll just use the last  
17 name, a Lickle meeting, L-I-C-K-L-E?

18 A. Specifically, no recollection specifically. I  
19 know they were a client that, client relationship that  
20 required a level of attention that may have been more  
21 demanding than other client relationships.

22 I can recall, not specifically, but Landis,  
23 Gilmore and Becker having discussions back and forth  
24 about how they might be working or planned to work with



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1 this particular family and their relationship.

2 Q. As it relates to you, was there any discussions  
3 that you had with either Gregg Landis or Bill Becker or  
4 Brendan Gilmore about your performance on any tasks  
5 concerning this particular I guess family account?

6 A. Not that I understood those discussions to be  
7 criticisms. It was how we were going to approach this  
8 family relationship. I'm trying to be protective of  
9 their privacy here. How we would increase the value of  
10 our business with them, what meetings we may schedule or  
11 luncheons we may have. That's the only recollection.

12 I know I -- I think I made personal calls to  
13 various family members in trying to attempt to set up  
14 appointments for them.

15 Q. Was there ever any criticism of your handling of  
16 any I guess presentation booklets for that family?

17 A. Offhand, I don't recall. I think any booklets  
18 that I prepared were done satisfactorily, because each  
19 officer was required to review those preparations before  
20 going into a meeting.

21 Q. I take it that you did put together some booklets  
22 for that family?

23 A. I would recollect that at the time those accounts  
24 were assigned to us, because there was a great deal of



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1 reshifting of accounts in the last months of my being  
2 employed, last six months, that went from team to team,  
3 that at the time that they were our specific Delaware  
4 office responsibility, there may have been some booklets  
5 prepared. To the best of my recollection, there may have  
6 been some booklets prepared.

7 Q. Do you know whether, upon review of the booklets  
8 that you prepared, Mr. Landis saw mistakes and had to  
9 correct them?

10 A. Mistakes would have been brought out in numbers  
11 before the actual assemblage of the booklets. Oftentimes  
12 Gregg or Bill might, as portfolio officers, would change  
13 information or data that they would relate to me to be  
14 input into the assemblage of the booklets.

15 Q. In terms of the work that you did with respect to  
16 the booklets, was there ever any criticism by Mr. Landis  
17 or Mr. Becker?

18 A. Regarding this particular family, familial  
19 relationship?

20 Q. Yes, yes.

21 A. To my knowledge now, I don't recall.

22 Q. Did anyone, Mr. Landis or Mr. Gilmore, ever state  
23 that you had placed inaccurate information on statement  
24 of investment policy forms?



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1 A. I'm sorry, repeat that question, please.

2 Q. Did Mr. Landis or Mr. Gilmore ever say to you  
3 that you had placed inaccurate information on statement  
4 of investment policy forms?

5 A. Right now I don't recall that they did.

6 Q. While you were employed at Mellon were you ever  
7 asked to pull baseline reports on concentrated stock  
8 holdings?

9 A. At this time it sounds like something that may  
10 have been -- repeat the terms again. I'm sorry. I've  
11 been away from them for so long.

12 MS. WILSON: Can you repeat that, please.

13 (Record read.)

14 THE WITNESS: Those are terms that I recall  
15 were indigenous to the business that we did.  
16 Specifically if I were asked to pull them, at this time I  
17 can't recall.

18 BY MS. WILSON:

19 Q. Either way?

20 A. Either way. I would have had to have had the  
21 various technical systems at my avail to be able to do  
22 that, and I don't recall that right now.

23 Q. Okay. So in terms of that question, do you  
24 recall ever being criticized on your handling of it?



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1 A. I don't know how I could have been criticized if  
2 I, technically, lacked the capabilities to do that. But  
3 I would have to say no, I don't recall.

4 Q. Okay. When you say technically lacking the  
5 capability to do that, what do you mean?

6 A. That my system -- that the system was not  
7 available to me. I was at a level where that information  
8 may be not programmed into my desktop. Do you understand  
9 what I answered?

10 Q. Sure. Would there have been another desktop that  
11 would have had access to the information?

12 A. More likely -- most likely, I'm recollecting that  
13 it would have been the officers who may or may not have  
14 had that.

15 Q. All right. Would that have been something that,  
16 with respect to the technical information, I guess the  
17 pulling of that sort of technical information, was that  
18 something that you had been trained on how to do?

19 A. There was a marked lack of training at Mellon in  
20 the last years of my employment. If you were responsible  
21 or if it was a part of the portfolio administration, it  
22 was more or less related from either the officer or -- my  
23 recollection is.

24 There were some reports that I would pull.



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1 I can't recall the specific titles of them right at this  
2 moment.

3 Q. Now, just so that I understand your testimony,  
4 when I had asked about training, and my question related  
5 to the concentrated stock holdings, whether you had had  
6 training on how to pull that information off the system?

7 A. The only recollection I have about stock  
8 information was something that I know they called a  
9 PORCH, which I was capable of doing and able to do and  
10 did frequently.

11 Q. That's P-O-R-C-H, correct?

12 A. P-O-R-C-H was an acronym for it, yes.

13 Q. And had you ever received any criticism by Mr.  
14 Landis or Mr. Gilmore about untimely submission of PORCH  
15 reports?

16 A. I don't recall that, because to request a PORCH,  
17 and the relating of the immediacy of the need for it,  
18 would prompt me to go to my desk, interrupt all other  
19 projects, and pull the PORCH.

20 Q. So you don't recall getting any criticism on the  
21 PORCH as to timeliness?

22 A. Not that I recall at this time.

23 Q. All right. Do you recall getting any criticism  
24 on the contents of the PORCH?



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1 A. To my recollection, the PORCH was a set substance  
2 of information that ran for a particular client and a  
3 particular time, based on the portfolio and the types of  
4 holdings that those particular accounts or the file held.

5 Q. All right. So the system itself would generate  
6 the report, and it was really nothing for you to do sort  
7 of analytically other than run the report?

8 A. To the best of my recollection, that's correct.  
9 Perhaps just extend a time frame or not is all I can  
10 recollect at this time.

11 Q. Now, there came a time when your employment was  
12 terminated; is that right?

13 A. Yes.

14 Q. And do you remember, you had a conversation with  
15 Gregg Landis in which he conveyed that to you?

16 A. He didn't specifically convey my termination. He  
17 asked me, and I believe that is documented, that, via an  
18 e-mail, I was to go into an office and HR would contact  
19 me.

20 Q. Okay. Do you remember when you went into the  
21 office, the date of going into that office?

22 A. I believe it was July 14th.

23 Q. All right. And when you went into the office it  
24 was an office in Delaware, correct?



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1 A. Yes.

2 Q. Was there anybody in the office?

3 A. No. It was designated, I was to go into an  
4 empty, unoccupied office.

5 Q. And did you have a sense of what was happening?

6 A. I didn't have a good feeling, Ms. Wilson.

7 Q. Why didn't you feel a good feeling?

8 A. Because it seemed as though prior to that date,  
9 based on occurrences as we have reviewed here, that  
10 something unpleasant was about to happen.

11 Q. All right. When you went into the office, Gregg  
12 Landis, did he join you in the office?

13 A. No, he did not.

14 Q. Was Rosemary Thomas on the phone or did she call  
15 in?

16 A. I can't be certain if I wasn't supposed to call  
17 her or she called me, in all honesty.

18 Q. Okay. So during the time that you were in the  
19 office was Gregg Landis ever in the room with you?

20 A. No, he was not.

21 Q. Was he on the phone with you?

22 A. No, he was not.

23 Q. You had a discussion with Rosemary Thomas?

24 A. Yes.



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1 Q. And that was the only person you had a  
2 conversation with on July 14th about your termination?

3 A. In those specific sense, that's my recollection,  
4 that it was just Rosemary Thomas.

5 Q. All right.

6 A. Telling me.

7 Q. And what did Rosemary Thomas tell you?

8 A. Wait a minute. I might be confused.

9 I believe she said the actual termination,  
10 and that I was to give Gregg keys and such.

11 Q. All right. Did she tell you why you were being  
12 terminated?

13 A. Specifically, I don't recall. I don't recall,  
14 other than lack of performance, I think.

15 Q. And it was over the phone?

16 A. Yes, it was.

17 Q. And your testimony is that Gregg wasn't in there  
18 with you?

19 A. He was not in that office. He -- my recollection  
20 is that, and this is a very emotional thing for me, he  
21 came to my desk and said, after the e-mail, that I will  
22 need to go into the office and HR needs to discuss  
23 something with me.

24 Q. Okay. And I realize that you are not being



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1 specific, but, generally, Rosemary Thomas said that your  
2 employment was being terminated for performance?

3 A. Well, it was as a result of getting that e-mail  
4 that Gregg handed me from Brendan Gilmore.

5 Q. Are you talking about Blozis 14?

6 A. No. I'm confused. I'm confusing the dates. No,  
7 that was, that was one thing. The termination was a  
8 separate thing.

9 Q. Okay. So do you want to start over with respect  
10 to the termination in July?

11 A. The recollection is that Gregg Landis e-mailed me  
12 that at a certain time HR -- I had to step into a private  
13 office and HR would be talking to me. I don't recall if,  
14 specifically, if I had to dial in or Rosemary Thomas  
15 called me.

16 And I knew something was very bad because  
17 Gregg stood at my desk and he said, "Regardless of the  
18 outcome, I want you to know that you have always been  
19 nice to my family." Then I walked into the office and  
20 had the conversation with Rosemary Thomas.

21 Q. Okay.

22 A. So I would assume that he was aware that I was  
23 being terminated.

24 Q. Okay.



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1 A. In retrospect.

2 Q. All right. So it was Rosemary, to your  
3 recollection, who said that your performance was the  
4 reason why you were being terminated?

5 A. To my recollection.

6 Q. And did you respond?

7 A. I suspect that I did. I don't recall what I  
8 would have said. Termination is termination. It is a  
9 final -- there is a finality about it.

10 Q. Did you ever appeal the termination?

11 A. I don't think that was the case, that could be  
12 done at Mellon.

13 Q. You don't think so?

14 A. I'm pretty sure I know so, that once you are  
15 terminated, you are terminated.

16 Q. You don't --

17 A. Is there any other definition to the word  
18 termination?

19 Q. When you were terminated, you didn't feel that  
20 you could go to somebody and say, My termination was  
21 unfair, I want you to relook at it?

22 A. Considering who at that time were my supervisors  
23 and how I felt, that they had systematically,  
24 systematically conducted what I thought was my eventual



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1 termination, I didn't think there was anybody that could  
2 -- I could go to.

3 Q. You didn't think that you could go to anyone in  
4 HR in Pittsburgh?

5 A. My recollection is that Rosemary Thomas may have  
6 conveyed all of the happenings prior to that, and I'm  
7 recollecting that she may have intimated there is no  
8 recourse on this action.

9 Q. Did you ask her whether there was recourse?

10 A. I don't specifically recall. I have a sense, a  
11 recollecting sense that she systematically said to me  
12 what may have been appurtenant to her job as far as  
13 terminating an employee, that I could continue with  
14 Cobra, that sort of thing, standardized things.

15 Q. Now, during any point that you were employed with  
16 Mellon did you have any discussions with anyone in which  
17 you said that you would like to resign and receive  
18 unemployment?

19 A. I don't recall I ever said that.

20 Q. What about, did you ever say to anyone that just  
21 go ahead and terminate you or fire you?

22 A. I don't recall I said anything in that manner to  
23 anyone. I liked working there.

24 Q. Did you ever tell Rosemary Thomas or anyone at



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1 Mellon that you didn't want to continue working at the  
2 level or pace that you were working?

3 A. I don't know if I understand fully your question.  
4 But I may have had, in recalling discussions, the few  
5 times that I talked to Rosemary, that I felt unjustly  
6 burdened by work that was not asked of the younger  
7 employee.

8 Q. When you say "unjustly burdened," what was the  
9 work that you were given that you felt that you were  
10 being unjustly burdened by?

11 A. I believe I testified before that there were  
12 projects or booklets that I was required to do and could  
13 not ask the assistance of Maria Dunlop, yet I willingly  
14 and gladly offered my assistance to her, which was  
15 allowed, but she was not allowed to help me. And I  
16 believe that testimony appears earlier.

17 Q. Well, as I recall it, that was relating to those  
18 booklets that were in issue in that discussion with  
19 Brendan Gilmore?

20 A. Those were the specific booklets, but it  
21 pertained to any projects.

22 Q. When you say "any projects" are you saying that  
23 Maria could not assist you in completing any projects?

24 A. That was my understanding and belief.



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1 Q. And what was that based on?

2 A. I don't know why she would have been told that.  
3 Based on the fact that she was not allowed to help me.

4 I was told, I recollect one time Brendan  
5 Gilmore saying, "You cannot ask Maria for help."

6 Q. And was that during that meeting, that  
7 closed-door meeting that you testified to earlier?

8 A. Could have been on or before that date. I don't  
9 recollect specifically when.

10 Q. Okay. Did Brendan tell you why that you couldn't  
11 ask Maria for help?

12 A. I don't recollect specifically why. I don't  
13 think he would tell me.

14 Q. Did he feel that you were unfairly imposing upon  
15 Maria to help you?

16 A. I don't know what he was feeling.

17 Q. Did Maria help you with any work?

18 A. She had in the past, yes. We shared, we shared  
19 job responsibilities. After all, I taught her the  
20 systems and the protocol for that office. She did not go  
21 to a training session.

22 Q. So if I understand your testimony, Miss Blozis,  
23 is that Maria had in the past helped you with work, but  
24 then there came a time when she did not?



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1 A. I think the clarification would be that I was not  
2 allowed to ask her for help.

3 Q. Okay. Do you remember when it was that you were  
4 not allowed to ask her for help?

5 A. It is, my recollection is that it seemed to be on  
6 or around the time when I -- the vacation issue that we  
7 had discussed before had come up.

8 Q. And the vacation issue, is that the time that you  
9 and Brendan were in that closed-door meeting?

10 A. Either that specific meeting where he used  
11 profanity or one before it, saying that I could not take  
12 the requested time that I had asked for or the time that  
13 I had put in for.

14 Q. The requested vacation time?

15 A. Mm-hmm.

16 Q. Now, putting to the side that Brendan had told  
17 you that you couldn't ask Maria for help, did she help  
18 you, nonetheless?

19 A. My recollection is that she did where she could.  
20 We always had a -- I want it understood, we had a good  
21 working rapport, and we could count on each other for  
22 different small projects, larger projects, help where it  
23 might require phone coverage or something else.

24 Q. Now, in your complaint you make an allegation



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1 concerning vacation time.

2 MR. LAROSA: It is at page 9.

3 MS. WILSON: Thank you. Yes.

4 BY MS. WILSON:

5 Q. Page 9, paragraphs 51 and 52, with respect to  
6 vacation, and according to your allegation, it was April  
7 of 2003 where you requested two consecutive weeks of  
8 vacation.

9 A. Earned vacation.

10 Q. Okay. And in terms of, when you say earned, I  
11 guess earned and accrued, it was vacations earned and  
12 accrued on an annual basis? For example, that you get  
13 say four, four weeks vacation every year? Or was it more  
14 than that?

15 A. It was earned every year, to my recollection. I  
16 can't recall when they went to the system where you, if  
17 didn't use it in a year you couldn't carry it over. I'm  
18 not positive at this time.

19 Q. Okay. In 2003 do you know how much vacation you  
20 had earned and accrued, as of April 2003?

21 A. As of April 2003, within that year I could take  
22 four weeks vacation.

23 Q. So you had requested two weeks off for vacation?

24 A. Yes.



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1 Q. And who did you put the request into?

2 A. My recollection is that I would have initiated it  
3 with my direct supervisor, who was Gregg Landis at that  
4 time, and then it would go however up the chain.

5 Q. And looking at your allegation, you were denied  
6 the two weeks and given six, six days?

7 A. Yes.

8 Q. All right. You seem like you had something else  
9 to say.

10 A. I'm thinking that, my recollection is that it was  
11 previously approved and then take away.

12 Q. So your recollection is that you had been  
13 approved for the ten?

14 A. For the ten working days.

15 Q. And who had previously approved it?

16 A. It would have been Gregg or my supervisor at the  
17 time of seeking that initial time off.

18 Q. Gregg or Bill?

19 A. Yes. I'm not sure of the specific crossover, but  
20 they both would have been aware of the request.

21 Q. Do you know who you specifically asked it of?

22 A. Not specifically initially, but I do know that  
23 both Gregg and Bill would have been -- if, if it was --  
24 fell in that time or that requested time when Bill was



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1 still a part of the Delaware team, they would have been  
2 made aware. As a small office, we, as a courtesy, would  
3 inform each other of times that we wanted, and it was  
4 noted what would be available for office coverage, who  
5 would be remaining.

6 Q. Okay. Now, in terms of the requests for  
7 vacation, do you know, in general, what was considered in  
8 approving or denying a vacation request?

9 A. Specific, no, I don't recall. I don't know. I  
10 would submit my request. They would come and say at some  
11 short time after that, yes, that's approved.

12 (Blozis Deposition Exhibit 23 was marked for  
13 identification.)

14 A. I have looked at this exhibit.

15 Q. Have you seen what has been marked as Blozis 23  
16 before?

17 A. I can say that I probably have seen the e-mail,  
18 the printed e-mail exchange.

19 Q. In terms of the handwriting, do you recall seeing  
20 that before today?

21 A. No.

22 Q. Do you recognize the handwriting?

23 A. Well, the "GL" looks like what I recollect the  
24 way Gregg Landis used to sign his name or his initials.



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1 Q. Now, looking at Blozis 23, up at the top, this is  
2 your request to Gregg about vacation, correct?

3 A. Yes.

4 Q. And this request is relating to your paragraph 51  
5 of your complaint?

6 A. Yes.

7 Q. Okay. Now, in terms of the request, and I'm  
8 looking at the handwritten portions underneath, where it  
9 says, "Brendan advised Linda on March 18, '03 that her  
10 request was partially approved," did you have  
11 conversations with Brendan Gilmore about your vacation  
12 request?

13 A. On that date, I don't recall.

14 Q. All right.

15 A. My recollection is that on or around March 13th,  
16 I was allowed to take -- or I was, I was given the okay  
17 to take the full time that I requested in the printed  
18 e-mail above.

19 Q. And who was it that had given you the okay?

20 A. Considering this exchange, it would have been  
21 Gregg Landis.

22 Q. So it is your testimony that Gregg had initially  
23 given you the okay for the two weeks?

24 A. That's my recollection at this time, yes.



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1 Q. All right. But you recall getting, I guess,  
2 subsequent information about not being able to take the  
3 two weeks and being able to take six days?

4 A. I recall getting subsequent information to that  
5 extent, yes.

6 Q. And was that from Gregg who told you that?

7 A. I can't recall specifically if it was Gregg or if  
8 it was Gilmore that told me, sometime after March 13th.

9 Q. Was there any discussion why you couldn't take  
10 the two weeks?

11 A. I don't recall. I don't recall a specific  
12 discussion. I'm thinking back, trying to remember what  
13 Brendan Gilmore would have said, if it possibly was that  
14 Maria was too new to be left on her own. I don't know.  
15 I'm not sure. I was just shocked by the fact that I was  
16 of the understanding I was going to get the two weeks and  
17 then didn't.

18 Q. Was there any discussion that you couldn't get  
19 the two weeks because the office would be short-staffed?

20 A. Specifically, I don't recall that, because my  
21 belief is we were short-staffed even before Maria came on  
22 board and I was handling all the responsibilities.

23 Q. Was there any discussion that you had taken a  
24 two-week vacation in December of '02?



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1 A. No specific discussion. It was, it was done.

2 Q. Now, with respect to I guess the vacation policy  
3 in 2003, if you didn't take all of your vacation would  
4 you get paid for it at the end of the year?

5 A. I don't recall that. I thought it was possibly  
6 -- like I said, I'm not sure when they went to you  
7 couldn't roll over and at what level, but I don't know if  
8 at my level it was a use it or it. I'm not sure at this  
9 time.

10 Q. I guess sort of how it was concluded was that you  
11 took six days, and looking down at the bottom, were those  
12 the six days you were allowed to take?

13 A. That's right. I only did get six days.

14 Q. And you say, looking at your complaint, that  
15 younger employees were not treated the same way?

16 A. Yes.

17 Q. And who are the younger employees?

18 A. I believe in my complaint was based on the fact  
19 that Maria had just come on board in, oh, was it March,  
20 and she was given time, extended time for a wedding. The  
21 dates are -- I'm getting them confused right now. But I  
22 know that she was allowed extended honeymoon time, which  
23 I did not have a problem with manning the office, but it  
24 seemed like, as a new employee, that considerations were



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1 given her for one reason or another as far as vacation,  
2 whether it be house settlement or preparations for the  
3 wedding or the honeymoon time itself, yes.

4 Q. So Maria, to your recollection, came in March of  
5 '03?

6 A. No. I have to recall when she was hired. I'm  
7 sorry. I'm mixing up the dates.

8 I do recall Maria wasn't there very long  
9 that she was given what I considered consideration,  
10 exceptional consideration for vacation time requested.

11 Q. And Maria was getting married and went on her  
12 honeymoon, correct?

13 A. Yes.

14 Q. So you felt that was exceptional consideration?

15 A. In the sense that she had specifically put in, my  
16 recollection says, for a certain number of days and then  
17 realized she wanted more time, requested a day or two  
18 more and then got it.

19 Q. So you thought that was exceptional?

20 A. Exceptional that it was given on such short  
21 notice, without consideration to the fact that I would be  
22 left to man the office, and my previously requested two  
23 weeks was given at a two-month advance of wanting --  
24 March, April, May, three-month advance of requesting the



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1 time, and then having it denied.

2 Q. Do you think that the, I guess the denial of your  
3 two-week request and I guess allowing Maria to take the  
4 seven days was based on age?

5 A. I'm not sure that it wasn't.

6 Q. And so when you say you are not sure that it  
7 wasn't, do you think that it was?

8 A. Could very well have been part of what I  
9 considered a systematic plan to dismiss me.

10 Q. Do you not think that her wedding and honeymoon  
11 had anything to do with it?

12 A. I think that was very important to her. And I  
13 was very happy and excited for her. I'm referring to  
14 what I consider the fairness of the request and the  
15 denial of mine.

16 Q. Other than Maria, were there any other instances  
17 where you felt that younger employees were given  
18 preferential treatment as it related to vacation?

19 A. As to vacation, I can't say at this time. They  
20 would have been in another office.

21 Q. Looking at that same page, page 9, up above in  
22 paragraph 50, where it says, "Gilmore and Landis  
23 criticized plaintiff for leaving a booklet for Dunlop to  
24 bind," that is the booklet we have been talking about as



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1 a result of I guess that meeting that you had with  
2 Brendan Gilmore?

3 A. I suspect that it is, yes. It is.

4 Q. And it says, "However, Dunlop previously was not  
5 criticized for leaving approximately 60 scholarship  
6 checks for plaintiff to assemble and mail to awardees."

7 A. Yes.

8 Q. And when in time was that?

9 A. In time? She was either leaving for vacation or  
10 the honeymoon, and there were scholarship checks that  
11 were to be mailed out to awardees, and she just wasn't  
12 going to finish it. And I told Maria I'll be happy to do  
13 that for her and make --

14 Q. Go ahead.

15 A. And not to worry. And they did get mailed out,  
16 and demonstrated the working rapport that she and I had.

17 Q. Did Maria ask you to send out the scholarship  
18 checks?

19 A. She must have, because I did it.

20 Q. And did you complain to Gilmore or Landis or I  
21 guess Bill Becker that you did it?

22 A. I did not complain. I was happy to help her.

23 Q. Did they know that you did it?

24 A. I'm sure they were aware they got mailed out,



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1 yes.

2 Q. But in terms of, did they know that you did it in  
3 terms of getting it mailed out?

4 A. Specifically, that's a good question. I don't  
5 know that they knew for sure that it was myself who did  
6 it.

7 Q. When you say the scholarship checks, who were the  
8 people getting them? Are these students getting checks  
9 for something?

10 A. We, Mellon had two -- several down-state  
11 scholarship funds that were set up as a trust for  
12 students of schools in the lower counties, and every year  
13 the school advisers and teachers would get together and  
14 submit names, and based on merit, need, Mellon would  
15 award dollars that were allotted to each particular  
16 school district, to a number of students. And in this  
17 case, in this year there were 60.

18 Q. So you would have a list of the awardees, and  
19 then the amounts of the checks, and I guess there would  
20 be --

21 A. Exactly.

22 Q. -- like a letter?

23 A. They had to be produced and a letter had to  
24 accompany that to the college or the school of higher



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1 education that the student, the high school student was  
2 going on to.

3 Q. Okay. And how long did that take you to do?

4 A. I recollect -- I don't know. However long it  
5 would take to make sure I'm covering phones and  
6 everything else, and assemble checks and letters and get  
7 them in the mail.

8 Q. But in terms of the time that it took you for  
9 that particular project, can you say?

10 A. Specifically, no. Because thinking back, I'm not  
11 sure if Maria had completed each school district and  
12 whether or not there were a stack of letters and checks  
13 to go, and yet there were some letters that were on a  
14 shared drive that needed to be printed and run and be  
15 signed and assembled that way. Specifically, I can't  
16 tell you the time.

17 Looking and making a judgment call at this,  
18 maybe an hour's plus worth of work, if it required  
19 everything that I've suggested it may have required.

20 Q. Okay. Miss Blozis, if you can look at page 7 of  
21 your complaint, please. And if you look at paragraph 32.  
22 Does that refresh your memory as to who was in the room  
23 with you?

24 A. It indicates that Gregg was there.



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1 Q. Do you recall him, sitting here today, being in  
2 the room with you?

3 A. I can't specifically say if he was in the room,  
4 at the door, on the conference call, in his office. I  
5 would have to go back and check my own personal notes.

6 Q. Okay. When you say --

7 A. Apparently, I testified that he was in the room.

8 Q. Okay. And do you remember what he said to you?

9 A. The only recollection I have is what I earlier  
10 testified, that before I went into the room, Gregg looked  
11 at me and said, "Regardless, all I can say is you were  
12 good to my family." And then I went into the room.

13 I don't, I don't have a real clear  
14 recollection of him saying anything else probably other  
15 than coming out and him stepping back to my desk and  
16 asking me to turn in my keys and any swipe cards or  
17 anything that I would have had.

18 Q. All right. Do you remember the time of day that  
19 you had the discussion?

20 A. It was mid to late morning, anywhere between  
21 10:00 and 11:30 -- I'm sorry. What discussion?

22 Q. Where you were told that your employment was  
23 terminated.

24 A. Terminated, yes. Assuming that it was Rosemary



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1 Thomas who did the actual stating of termination, between  
2 10:00 and 11:30.

3 Q. And then shortly thereafter you left? You didn't  
4 work the full day out?

5 A. No.

6 Q. Okay.

7 A. They asked me to leave the building.

8 Q. All right. Did you speak with anybody before you  
9 left, such as Maria?

10 A. I don't believe -- she was in the office, but I,  
11 I have the recollection that Gregg may have taken her  
12 into his office, similar to the way I was treated when  
13 Kathleen Agne was dismissed.

14 Q. When you say similar to the way that you were  
15 treated when Kathleen was dismissed, what do you mean?

16 A. Well, I would assume that Maria may have been  
17 shocked, as I was shocked when Kathleen received her  
18 termination, and at that time Bill, Bill Becker had told  
19 me, "Kathleen is being released," and my reaction was  
20 total surprise and shock and very upset. And he told me  
21 if I needed to take time, but I wasn't supposed to talk  
22 to her, and she was packing up her things and left.

23 In retrospect, Maria was not noticeable, and  
24 I just went through the process of any personal



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1 belongings, collecting them, and leaving. So --

2 Q. Go ahead.

3 A. And based on the good rapport that Maria and I  
4 had -- sorry -- I would have thought she would have been  
5 shocked and surprised too.

6 Did you get that?

7 THE COURT REPORTER: Yes.

8 MS. WILSON: Why don't we take five minutes  
9 or a couple minutes.

10 MR. LAROSA: That's fine.

11 (Lunch recess taken.)

12 MS. WILSON: Can you please read back the  
13 last question and answer before the break.

14 (Record read.)

15 BY MS. WILSON:

16 Q. Did you have any conversations at all with Maria  
17 about your termination?

18 A. At what time are you referring to?

19 Q. At any time?

20 A. Termination specifically, I don't recall. We  
21 wrote or communicated -- we communicated with one another  
22 after that, and it could have been, to the best of my  
23 recollection, via phone call or a letter. I'm not sure.

24 Q. Did you ever tell Maria that you felt that your



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1 termination was based on your age?

2 A. I recollect I may have done so, yes.

3 Q. And what did she say?

4 A. Specifically, I don't recall, other than her  
5 being sympathetic and missing me.

6 Q. And did you ever tell Maria that you felt that  
7 your termination was based on your gender?

8 A. I don't recall specifically. We may have  
9 discussed that.

10 Q. Do you remember what her response was?

11 A. My recollection is that based on her newness, she  
12 wasn't quite sure, but, as time went by, may have seemed  
13 more apparent to her.

14 Q. And what happened as time went by that made it  
15 more apparent to her?

16 A. That any of the responsibilities that I bore were  
17 then transferred to her. She was left to tend the office  
18 alone, as I was, and on several occasions in either our  
19 discussions or communications said to me she didn't know  
20 how I did it, how I accomplished it all.

21 Q. And when you left Maria was the only portfolio  
22 administrator left until they hired another person?

23 A. To the best of my knowledge, yes.

24 Q. Did you ever tell Maria that you felt that you



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1 were terminated in retaliation for complaining about  
2 Brendan Gilmore?

3 A. To my recollection, I may have intimated that to  
4 her.

5 Q. And what did she say?

6 A. To my recollection, it -- excuse me -- that it  
7 was a possibility, within the realm of possibility.

8 Q. That's what she said, that "it was within the  
9 realm of possibility"?

10 A. Not those exact words, but intimated that it  
11 could have been.

12 Q. Had you discussed with her, while both of you  
13 were employed, that you had put in a complaint against  
14 Brendan Gilmore to Rosemary?

15 THE WITNESS: Repeat that question for me,  
16 please.

17 (Record read.)

18 THE WITNESS: I don't recall specifically at  
19 this time if I did discuss that with her. I may have.

20 BY MS. WILSON:

21 Q. But you don't have a specific recollection either  
22 way?

23 A. Either way, no.

24 Q. Okay. Looking at your complaint, which is what



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1 is in front of you --

2 A. Yes.

3 Q. -- at paragraph 40, which is on page 8, but look  
4 at the bottom of page 7, starting with paragraph 36, so  
5 you can get the full context of the question I'm going to  
6 ask.

7 A. I have read all of that.

8 Q. Do you know who was hired?

9 A. Her specific name I do not have.

10 Q. Do you know in general who was hired?

11 A. I believe it was a young lady whose age I was not  
12 informed of.

13 Q. Had you and Maria talked about who was hired?

14 A. Maria had informed me that they eventually hired  
15 somebody as a replacement or to fill my job duties.

16 Q. And I gather that you say you didn't know this  
17 individual that was hired?

18 A. No, I did not know the name. I don't recognize  
19 that she was from within the company.

20 Q. And did you know anything about her background?

21 A. In what terms?

22 Q. In terms of school, where she worked previously?

23 A. That was not made known to me, no.

24 Q. Do you know what kind of employee she was at



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1 Mellon?

2 A. Maria in our conversations or communications  
3 intimated to me that she was not pulling her weight,  
4 whatever that meant.

5 Q. That's what I was going to ask you. Do you know  
6 what that meant?

7 A. Whatever not pulling your weight means. I would  
8 have suspected that Maria felt she was carrying more of  
9 the burden than what she and I may have shared of the  
10 duties within that office when we worked together.

11 Q. Did Maria tell you how Gregg Landis felt about  
12 the new employee?

13 A. No.

14 Q. Or Brendan Gilmore?

15 A. No.

16 Q. Did Maria tell you what kind of evaluations the  
17 new employee received?

18 A. No.

19 Q. Did Maria tell you that she complained about the  
20 new employee to Gregg or Brendan?

21 A. She did not intimate that to me, no, no. I don't  
22 recall that she said anything about complaining about the  
23 new employee.

24 Q. In your allegation in paragraph 40 you say,



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1 "Plaintiff's replacement was less productive than  
2 plaintiff and of less value to defendants than  
3 plaintiff." What do you mean by that?

4 A. I mean that information that Maria relayed to me  
5 was that she was dissatisfied with her co-worker.

6 Q. Maria did? Maria told you that she was  
7 dissatisfied with her co-worker?

8 A. In not so many words but intimated that, yes.

9 Q. Do you know if Maria ever told Gregg Landis or  
10 Brendan Gilmore that she was dissatisfied with you?

11 A. I don't believe she would have done that.

12 Q. But do you know whether she did or not?

13 A. I have no way of knowing that.

14 Q. When you were employed by Mellon did anyone ever  
15 ask you your age?

16 A. Mellon employees or --

17 Q. Mellon employees.

18 A. I think at some point over the 13 years somebody  
19 may have inquired about how old I was or how many years  
20 in I had.

21 Q. Did Brendan Gilmore ever ask you your age?

22 A. In the topic of conversation it may have come up.  
23 I don't know specifically yes or no.

24 Q. What about Gregg Landis?



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1           A.    I don't recall him asking. I think he probably  
2 was aware based on my personnel file and years, when I  
3 graduated.

4           Q.    When you say your personnel file what do you  
5 mean?

6           A.    A file that he would have -- that portion of the  
7 file he would have been privy to when he became a  
8 supervisor.

9           Q.    And what portion of that are you --

10          A.    Maybe a resume was in there that indicated the  
11 year I graduated.

12          Q.    So in terms of whether he saw any materials that  
13 said how old you were, do you know whether he saw those  
14 materials or not?

15          A.    I don't -- I never saw him specifically looking  
16 at them, but I would assume that he would have been privy  
17 to the portion of the file that he would have been  
18 responsible for.

19          Q.    What about Bill Becker, did he ever mention or  
20 ask you your age?

21          A.    Well, they helped me celebrate birthday parties  
22 so, yes, they would have known my age. I wouldn't lie  
23 about it.

24          Q.    So in terms of a birthday party, you would say





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1 I'm X amount?

2 A. Congratulations. It would be a joke. X amount  
3 of years, absolutely.

4 Q. And would that be something that you would say,  
5 I'm celebrating my X birthday, whatever it was?

6 A. I wasn't ashamed of it. Yes, I would admit to  
7 it.

8 Q. Did you ever have to fill out any documents for  
9 Mellon that asked you your age?

10 A. I don't think that ever came up, no.

11 Q. What about any documents that asked you your  
12 gender?

13 A. There may have been some forms, medical or  
14 otherwise, that may have asked dates or gender.

15 (Blozis Deposition Exhibit 24 was marked for  
16 identification.)

17 Q. If you would take a look at what has been marked  
18 as Blozis 24 and let me know when you've had time to look  
19 at it.

20 A. I have read it.

21 Q. Have you seen what has been marked as Blozis 24  
22 before today?

23 A. I don't think that was ever handed to me. It is  
24 a memo to the file.



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1 Q. All right. Did you have any conversations with  
2 Gregg Landis concerning the sale of shares of Nortel?

3 A. Not to my recollection.

4 Q. You don't recall any conversations concerning it?

5 A. Specific to this, no, I don't recall.

6 Q. Looking down at what is paragraph 2, that has the  
7 number 2 by it.

8 A. Yes.

9 Q. And there is reference to five trusts for a  
10 particular family.

11 A. Yes.

12 Q. Did you ever have any conversations with Gregg  
13 Landis about the information contained in paragraph 2?

14 A. I recollect that I may have, because that name is  
15 very prominent in this area, and at the time that we  
16 managed these files or dealt with these files there was a  
17 great deal of activity that occurred. Specifically this,  
18 I don't recall.

19 Q. Do you know, did Gregg Landis ever have any  
20 discussions with you about tax considerations for this  
21 particular, is it series of trust accounts?

22 A. Repeat that question, please.

23 MS. WILSON: Can you repeat the question.

24 (Record read.)



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1 THE WITNESS: I specifically don't remember  
2 a specific discussion about this familial relationship.

3 BY MS. WILSON:

4 Q. Did Gregg Landis ever have any discussions with  
5 you around the May 29th, 2003 time frame, about his  
6 dissatisfaction with your understanding of the job?

7 A. Specifically, I don't recall about, discussions  
8 about my understanding of the job.

9 Q. So with respect --

10 A. At that time. You said on this date.

11 Q. At around the May 2003 date.

12 A. Specifically, other than trying to attend to the  
13 necessities, day-to-day necessities of the files, I don't  
14 recall a specific conversation about this familial  
15 relationship.

16 (Blozis Deposition Exhibit 25 was marked for  
17 identification.)

18 Q. Miss Blozis, have you seen what has been marked  
19 as Blozis 25 before, before today?

20 A. I may have seen the preprinted matter before that  
21 time.

22 Q. Would this have been something you would put  
23 together, the preprinted matter?

24 A. It may have been a part of a client booklet.



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1 Q. Did Mr. Landis ever have any discussion with you  
2 about outdated information being put in material, this  
3 one, for the Lickle presentation?

4 A. That's a local client, and to respect his  
5 privacy, a specific discussion about any presentation,  
6 the only answer I can give is that all the information  
7 that went into booklets, as you can tell by the binding  
8 marks, was reviewed by the investment officer or the  
9 presenting officer prior to making the presentation. And  
10 I would assume that Gregg would have been aware of that  
11 date and approved it, if it was part of the book.

12 Q. So is it your testimony that if outdated  
13 information got into a booklet it should have been  
14 Gregg's responsibility to catch it?

15 A. I'm not going to specifically say it was his  
16 responsibility. But they reviewed every book, and  
17 frequently information that was inserted in books could  
18 have been a week old, a month old and so forth. I had no  
19 control over that, as I was not the marketing department  
20 to prepare this, to prepare the information. I assembled  
21 the books, compiled.

22 Q. Did Gregg ever say that he wanted you to make  
23 sure, even if marketing gave you information, to make  
24 sure that the information was current information?



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1 A. I don't recall specifically, especially in  
2 referencing this family relationship.

3 Q. Do you remember having any conversations with  
4 Gregg about this particular matter that's referred to in  
5 Blozis 25?

6 A. No. And I have no way of knowing when for sure  
7 that handwritten note was applied to this matter either.

8 Q. Regardless of the handwritten note, when it was  
9 applied, did you ever have any conversations with Gregg  
10 about it?

11 A. "About it" meaning?

12 Q. About outdated information being placed in a  
13 client booklet.

14 A. We may have, we may have discussed the fact that  
15 we would try to avoid that situation.

16 Q. Did he say it was your responsibility to make  
17 sure that outdated information wasn't placed in a  
18 booklet?

19 A. I don't recall him specifically telling me that,  
20 no. I know I would try to call it to his attention.

21 I would like to clarify something else.

22 Q. Go ahead.

23 A. I have no way of knowing for sure, because of the  
24 exchange of the files, as I reiterated before, that files



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1 were constantly in a state of flux between teams, I have  
2 no way of knowing for sure that this information was part  
3 of a book that I may have assembled for that family.

4 Q. All right. So --

5 A. At this time.

6 Q. So in terms of -- what is that number -- Blozis?

7 A. 25.

8 Q. -- 25, your testimony is that you are not sure  
9 whether that was even something that you were responsible  
10 for?

11 A. At this time, I am not sure. Based on the  
12 exchange of files, as I recall, they were transferred  
13 between teams.

14 Q. Do you remember at any point being responsible  
15 for that particular family's account?

16 A. There was a time when we had several, several of  
17 the familial accounts. To my recollection, there were  
18 many accounts tied to this family. I don't know that our  
19 team had all of them.

20 Q. And --

21 A. There is no file reference number on these pages.

22 Q. When you say teams, you mean Gilmore team would  
23 have some responsibility? Who would be the other teams?

24 A. There were teams in Philadelphia at which various



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1 sized accounts were being transferred back and forth.  
2 There seemed to be, in the last six to eight months of my  
3 employ, for lack of a better term, a real shake-up of how  
4 the allotment of file size, meaning portfolio worth, was  
5 going to be distributed, as evidenced by how many times I  
6 would pack up files and ship them back and forth and  
7 unpack them.

8 Q. And who was making those determinations?

9 A. Determinations could have been anybody from team  
10 leaders like Brendan Gilmore to people above him, might  
11 have been Paul Kochis who I think he reported to. I'm  
12 not sure.

13 (Blozis Deposition Exhibit 26 was marked for  
14 identification.)

15 A. This is Exhibit --

16 Q. 26.

17 A. Yes, I have read it.

18 Q. Have you seen what has been marked as Blozis 26  
19 before today?

20 A. The indication that the e-mail came to me would  
21 indicate that.

22 Q. Did you have any discussions with Mr. Landis  
23 about sending materials to Jeb in a confidential way?

24 A. I don't specifically recall that.



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1 Q. Do you --

2 A. I have no proof that this e-mail was received by  
3 me and opened by me either.

4 Q. So is it your testimony that you didn't receive  
5 Blozis 26?

6 A. My testimony is that I'm not sure that this  
7 particular e-mail specifically came to me.

8 Q. But it has the "To" reference on it?

9 A. That could have been produced on paper.

10 Q. So you are saying that 26 was doctored?

11 A. I'm not saying it is doctored. I have no way of  
12 proving it, proving for sure. Because I know, I know the  
13 working rapport I had with Jeb and his accounts. And I  
14 don't believe that a criticism would have gone -- he  
15 would have called me specifically. And I don't recall  
16 him doing that.

17 Q. So your testimony is that if Jeb had a problem  
18 with something you did, he would call you personally and  
19 let you know?

20 A. Yes.

21 Q. Do you know whether he ever called Gregg Landis  
22 and said he had a problem with something you did?

23 A. I wouldn't know if he had called Gregg Landis.

24 Q. Did you ever have any conversations with Gregg



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1 Landis about placing information for Jeb in a  
2 confidential envelope or to be mindful of the  
3 confidential nature of materials?

4 A. Ms. Wilson, I don't think that would have been  
5 necessary because I would have fully comprehended that  
6 Jeb's personal trust accounts were just that, personal,  
7 and would have needed to go in and be treated  
8 confidentially.

9 Q. Okay. I understand that. But if you can answer  
10 my question: Did you ever have any conversations with  
11 Gregg Landis about it?

12 A. I don't recall that at this time.

13 Q. While you were employed at Mellon did you ever  
14 see any psychiatrists?

15 A. No.

16 Q. Any mental health provider, be it psychiatrist,  
17 psychologist, therapist?

18 A. I -- no.

19 Q. One of your allegations is as a result of your  
20 termination that you suffered mental distress; is that  
21 right?

22 A. That's right.

23 Q. And what kind of mental distress?

24 A. I think I was very emotionally upset. I felt my



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1 heart racing upon termination. I just felt very  
2 distraught, very demeaned, hurt, embarrassed. I can't  
3 think of any other adjective at this time.

4 Q. You said that upon termination that you felt  
5 these things. Did you feel any of these things while you  
6 were employed at Mellon?

7 A. In those last months, I certainly did, yes.

8 Q. And when you say the "last months," when?

9 A. I would say approximately from the last dealings  
10 with Bill Becker, which would be December/January, on  
11 through the termination, the ultimate termination in  
12 July.

13 Q. Bill Becker, would that have been with your  
14 evaluation where you got the action needed?

15 A. Yes.

16 Q. So that's when it began?

17 A. That is about as close approximation as I can  
18 give at this time.

19 Q. And would it have been the same things that you  
20 testified to emotionally, distressed, heart racing,  
21 distraught, hurt, demeaned, embarrassed?

22 A. Also add to that confused and perplexed over  
23 having been complimented and appreciated, and even  
24 financially rewarded for my job performance, and then



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1 have it turn around to criticism and needs improvement,  
2 yes.

3 Q. Within the time frame of when you first started  
4 feeling these things, around the time that you got your  
5 action needed evaluation, to the time of termination, so  
6 that's going through sort of July, mid July of '03, did  
7 you see any mental health providers in connection with  
8 these feelings?

9 A. No, I did not.

10 Q. Did you see any doctors in connection with these  
11 feelings?

12 A. I'm sure my medical records would indicate, but I  
13 don't know that I didn't probably go to my primary care  
14 physician for acid reflux or something. I don't know.  
15 I'm not sure.

16 Q. Which one? Who would that have been?

17 A. At that time it probably would have been -- oh,  
18 my gosh. What is the name of -- a gentleman on  
19 Silverside Road. I can't believe I've forgotten his name  
20 already.

21 Q. Kenneth DeMarco maybe?

22 A. Kenneth, yes, Dr. DeMarco. Thank you. Yes.

23 Q. So you went to him for acid reflux?

24 A. I'm not sure. I may have.



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1 Q. Do you know if he prescribed anything for you?

2 A. No, I do not recall at this time.

3 Q. Whether or not he prescribed any medication for  
4 you, did you take any medication in connection with the  
5 feelings that you described?

6 A. Nothing that would have been a prescription drug.

7 Q. Over the counter?

8 A. Probably just headache.

9 Q. Tylenol, stuff like that?

10 A. Tylenols, yes.

11 Q. Now, you said that one of the feelings that you  
12 experienced while you were at Mellon was your heart  
13 racing?

14 A. Yes.

15 Q. Now, previous to I guess getting the action  
16 needed and the termination, had you been diagnosed with a  
17 positive stress test?

18 A. I think I -- when you say stress test, I recall  
19 Dr. DeMarco giving me one, but I don't recall the exact  
20 time frame. I'm sure my medical records will indicate  
21 that.

22 Q. Were you having some irregular heart beats at  
23 some point?

24 A. At some point, I don't understand the time frame



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1 you are referring to.

2 Q. Well, based on the records, I see a positive  
3 stress test on March 31st of 2000. So when I saw that it  
4 kind of led me to believe that you probably went because  
5 you were having some irregular heart beats?

6 A. To my recollection now, it was either that or the  
7 fact that, as a primary care physician, it indicated that  
8 it was time for me to have a stress test.

9 Q. Were you given any medications in connection with  
10 that?

11 A. Not that I recall, no.

12 Q. I see that on March, I guess March 9th of 2000  
13 that you were diagnosed with osteoporosis?

14 A. Yes.

15 Q. Did you take any medicines with respect to that?

16 A. I believe that was the start of the prescribed  
17 application of Actonel, a drug that is comparable to  
18 Fosamax, for osteoporosis.

19 Q. And did that sort of alleviate the problem?

20 A. I don't think osteoporosis is a problem you can  
21 totally reverse, to my understanding.

22 Q. Not reverse but to sort of hold it, hold it at a  
23 point?

24 A. In check. To my understanding, it may have



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1 helped me increase my bone mass a little bit more.

2 Q. Are you still taking it?

3 A. Yes.

4 Q. I see that on August 23rd of 2001 that you were  
5 diagnosed with Morton's neuroma.

6 A. I -- you have the records. Yes.

7 Q. What is Morton's neuroma?

8 A. I think that's an inflammation of one of the toes  
9 of the foot.

10 Q. And did you take any medication for that?

11 A. Other than over the counter, there was no  
12 prescribed medication, other than exercise to keep the  
13 arthritis moving.

14 Q. Did that get rectified?

15 A. I have to say it has improved with exercise, yes.

16 Q. I see in your records that you treated with a  
17 Ronald Domingo around May of 2000. Does his name sound  
18 familiar to you?

19 A. Yes.

20 Q. And that you were concerned about Alzheimer's?

21 A. I may have asked that question of him.

22 Q. Were you ever diagnosed as having it?

23 A. Not specifically, no.

24 Q. When you say "not specifically"?



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1 A. I never went to a specific physician and received  
2 a positive diagnosis that I was Alzheimer's, in the state  
3 of Alzheimer's, no.

4 Q. Was there something that made you wary, that you  
5 may be showing some symptoms?

6 A. At that time, it could have been job-related  
7 stress, and the fact that often times stress can diminish  
8 your memory retention. We've had Alzheimer's instances  
9 in our family that gave me cause for concern.

10 Q. So the date that I have is May 9th of 2000 that  
11 you went to Dr. Domingo and raised that.

12 A. Dr. Domingo is a OB/GYN, and, to my recollection,  
13 in the context of our conversation, I may have just  
14 inquired, may have asked a question about Alzheimer's and  
15 related medical questions of gynecological matter.

16 Q. Because in your testimony you say it may have  
17 been sort of job-related stress that may have contributed  
18 to your asking the question. What job related stress, in  
19 May of 2000?

20 A. Specifically, I don't remember at this time.

21 Q. Following your termination, and you listed the  
22 factors that constituted your emotional distress, did you  
23 see any physicians, mental or otherwise, concerning these  
24 issues, mental health providers?



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1 A. No, I did not.

2 Q. Did you take any medications in connection with  
3 them?

4 A. Other than over the counter --

5 Q. Would that have been --

6 A. -- remedies, Tylenol, Zantac, Excedrin.

7 Q. At any point in time did the, I guess the  
8 emotional issues that you said that you described, heart  
9 racing, distraught, hurt, demeaned, embarrassed,  
10 confused, perplexed, did they subside?

11 A. I suspect after a time, when I could assimilate  
12 the fact that I had been terminated from a job that I  
13 enjoyed, and I thought was very good at for 13 years,  
14 there might have been a time when they diminished to some  
15 small degree. But do you ever really get over being  
16 terminated? You try to get on with your life.

17 Q. Can you put a time as to when they diminished?

18 A. I can't specifically at this time, because I  
19 threw myself into a job search, immediate job search, and  
20 had to direct my energies towards that.

21 Q. Sitting here today, have they diminished?

22 A. Sitting here today, they have been revived.

23 No. They have -- they have -- they are gone  
24 to an extent. I have tried to get on with my life. You



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1 never, you just don't forget what has been done to you.

2 Q. After your employment was terminated, did you  
3 receive unemployment compensation?

4 A. Yes, I did.

5 Q. Do you remember how long you received it?

6 A. Six months.

7 Q. Do you remember how much it was?

8 A. I think it is in my records, the exact amount. I  
9 forget if it was around \$230 a week. I'm not sure.

10 Q. Around that, approximate?

11 A. Approximate, yes.

12 Q. And after your employment was terminated did you  
13 look for new employment?

14 A. Absolutely.

15 Q. And you looked at places within Delaware?

16 A. Yes.

17 Q. And you ended up in Florida, correct?

18 A. Yes, I did.

19 (Blozis Deposition Exhibit 27 was marked for  
20 identification.)

21 Q. Miss Blozis, if you would look at page 10 of  
22 Blozis 27.

23 A. Yes.

24 Q. Now, in terms of the chart, this is a chart of



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1 places that you looked for subsequent employment?

2 A. Yes.

3 Q. And down on page 10, where it says Colonial Bank,  
4 do you see that?

5 A. Yes.

6 Q. You had gotten an offer from them?

7 A. Yes, I did.

8 Q. And the date of the offer, looking at the chart,  
9 was the early winter of 2003 or 2004?

10 A. Yes.

11 Q. You don't remember which one it was, 2003 or  
12 2004?

13 A. Winter runs from, what, November, December,  
14 January, so it could have been the end of the year 2003  
15 to 2004.

16 Q. All right. And you got an offer?

17 A. Yes.

18 Q. And you turned it down because of the money being  
19 offered?

20 A. Yes.

21 Q. Just looking at the chart, it looks like you were  
22 being offered 22,000 a year?

23 A. Yes.

24 Q. And you wanted to see if you could make more; is



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